



DEPARTMENT OF THE NAVY

BOARD FOR CORRECTION OF NAVAL RECORDS

2 NAVY ANNEX

WASHINGTON DC 20370-5100

JLP:ddj

Docket No: 2768-00

15 August 2000

[REDACTED]

This is in reference to your application for correction of your naval record pursuant to the provisions of title 10 of the United States Code, section 1552.

A three-member panel of the Board for Correction of Naval Records, sitting in executive session, considered your application on 15 August 2000. Your allegations of error and injustice were reviewed in accordance with administrative regulations and procedures applicable to the proceedings of this Board. Documentary material considered by the Board consisted of your application, together with all material submitted in support thereof, your naval record and applicable statutes, regulations and policies. In addition, the Board considered the advisory opinion furnished by BUPERS memorandum 1780 PERS 604 of 29 June 2000, a copy of which is attached.

After careful and conscientious consideration of the entire record, the Board found that the evidence submitted was insufficient to establish the existence of probable material error or injustice. In this connection, the Board substantially concurred with the comments contained in the advisory opinion. Accordingly, your application has been denied. The names and votes of the members of the panel will be furnished upon request.

It is regretted that the circumstances of your case are such that favorable action cannot be taken. You are entitled to have the Board reconsider its decision upon submission of new and material evidence or other matter not previously considered by the Board. In this regard, it is important to keep in mind that a presumption of regularity attaches to all official records. Consequently, when applying for a correction of an official naval record, the burden is on the applicant to demonstrate the existence of probable material error or injustice.

Sincerely,

W. DEAN PFEIFFER  
Executive Director

Enclosure



**DEPARTMENT OF THE NAVY**  
**NAVY PERSONNEL COMMAND**  
**5720 INTEGRITY DRIVE**  
**MILLINGTON TN 38055-0000**

1780  
PERS-604  
29 JUN 2000

MEMORANDUM FOR EXECUTIVE DIRECTOR, BOARD FOR CORRECTION OF  
NAVAL RECORDS

Via: Assistant for BCNR Matters (PERS-00ZCB)

Subj: REQUEST FOR COMMENTS AND RECOMMENDATIONS ICO  
MD [REDACTED]

Ref: (a) BUPERS memo 5420 PERS-00ZCB of 12 Jun 00  
(b) Title 38, United States Code, Chapter 30

1. The following is provided in response to reference (a):

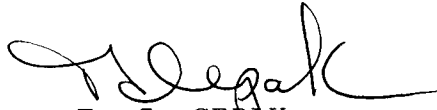
a. Recommend the Board deny [REDACTED]' request to add Navy College Fund (NCF) Program guarantee as an enlistment option to his master record. NCF Program is a guarantee offered only at the time of enlistment to certain recruits who meet the basic eligibility criteria outlined in reference (b). Fiscal and/or quota constraints prevent NCF Program from being offered to every recruit, since NCF Program, unlike Montgomery GI Bill (MGIB) Program, is funded solely by Navy. Because of this, NCF Program is given only at the discretion of the classifier, not the field recruiter.

b. Enlistment Contract (DD Form 1966) is the only official document used to identify enlistment guarantees. A review of Mr. Steven's enlistment contract indicates he was guaranteed "Fire Controlman-Advanced Electronic Field," but not NCF Program. Mr. Stevens' reviewed and initialed his enlistment contract 15 June 1993 acknowledging he understood no other guarantees would be made to him other than those listed on this form and the Enlistment/Reenlistment Document (DD Form 4) Annexes. He also reviewed and signed his DD Form 4 Annex informing him what enlistment guarantees he would receive and again, NCF Program was not listed. Since the documents clearly do not guarantee Mr. Stevens NCF Program and contain written evidence he was aware of this, he is not entitled to receive NCF Program benefits.

2. Mr. Stevens elected to enroll in MGIB Program on 19 August 1993 and is entitled to receive 36 months of education benefits. The present educational assistance benefit for full time school enrollment is \$536 per month. The monthly entitlement is adjusted yearly based on the Consumer Price Index.

Subj: REQUEST FOR COMMENTS AND RECOMMENDATIONS ICO  
MR. SHANE P. STEVENS, 524-19-0760

3. PERS-604's point of contact is Linden Butler who can be reached at (C) 901-874-4246 or DSN 882-4246.



T. J. CERAK  
Captain, U.S. Navy  
Director, Navy Drug & Alcohol,  
Fitness, Education, &  
Partnerships Division (PERS-60)